

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

TAVON HAMMOND, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CASE NO. 1:24-cv-395-ECM
	)	
BRAD STRICKLAND, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION and ORDER**

On January 27, 2025, the Magistrate Judge entered a Recommendation that this case be dismissed without prejudice for lack of service pursuant to Federal Rule of Civil Procedure 4(m). (Doc. 10). On February 13, 2025, the Plaintiffs filed a “Memorandum of Law,” which the Court has construed as objections to the Recommendation. (Doc. 11). After carefully reviewing the record in this case, the Recommendation of the Magistrate Judge, and the Plaintiffs’ objections, the Court concludes that the Plaintiffs’ objections are due to be overruled, the Recommendation of the Magistrate Judge is due to be adopted, and this case is due to be dismissed without prejudice.

When a party objects to a Magistrate Judge’s Report and Recommendation, the district court must review the disputed portions *de novo*. 28 U.S.C. § 636(b)(1); *see also United States v. Raddatz*, 447 U.S. 667, 674 (1980). The district court “may accept, reject, or modify the recommended disposition; receive further evidence; or resubmit the matter to the magistrate judge with instructions.” 28 U.S.C. § 636(b)(1). *De novo* review requires that the district court independently consider factual issues based on the record. *Jeffrey S.*

by *Ernest S. v. State Bd. of Educ. of State of Ga.*, 896 F.2d 507, 513 (11th Cir. 1990). However, objections to the Magistrate Judge's Report and Recommendation must be sufficiently specific in order to warrant *de novo* review. See *LoConte v. Dugger*, 847 F.2d 745, 750 (11th Cir. 1988) ("Whenever any party files a timely and specific objection to a finding of fact by a magistrate [judge], the district court has an obligation to conduct a *de novo* review of the record with respect to that factual issue."). Otherwise, a Report and Recommendation is reviewed for clear error.

The Court has carefully reviewed the Magistrate Judge's Recommendation, the Plaintiffs' objections, and the entire record in this case. To the extent the Plaintiffs raise general or conclusory objections, they are reviewed for clear error and are due to be overruled. Additionally, while the Plaintiffs discuss, among other things, the Judiciary Act of 1789, the Plaintiffs' objections fail to establish that the Magistrate Judge committed any error. Consequently, their objections are due to be overruled.

Accordingly, upon an independent review of the record, and for good cause, it is ORDERED as follows:

1. The Plaintiffs' objections (doc. 11) are OVERRULED;
2. The Recommendation of the Magistrate Judge (doc. 10) is ADOPTED;
3. This case is DISMISSED without prejudice pursuant to Rule 4(m).

A separate Final Judgment will be entered.

DONE this 4th day of April, 2025.

/s/ Emily C. Marks  
EMILY C. MARKS  
CHIEF UNITED STATES DISTRICT JUDGE